HIGH COURT OF CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI JAGDISH BHALLA, Ag. CJ

W.P. (C) No. 6257of 2006

PETITIONERS (Plaintiff)

1. Jayant S/o Taradas Aged about 28 years
2. Vijay Kumar S/o Taradas Aged about 27 years
3. Angeshwar S/o Taradas Aged about 24 years

All above resident of village Devpuri, Post Devpuri, P.S. Tikrapara, Tahsil & District Raipur (C.G.)

VERSUS

RESPONDENTS (Defendant)

1. Madan Lal S/o Dharmdas Ratre Aged about 49 years, R/o Telibandha Post Abanpur, District Raipur (C.G.)
2. Manager, Bilaspur Raipur Kshetriya Gramin Bank, Abhanpur, District Raipur (C.G.)
3. State of Chhattisgarh Through Collector Raipur Tahsil & District Raipur (C.G.)
4. Suraj Banjare S/o Jhumuklal Banjare Aged about 28 years
5. Deepak Banjare S/o Jhumuklal Banjare Aged about 18 years
6. Govind Banjare S/o Jhumuklal Banjare Aged about 23 years, Respondent No. 4,5 and 6 are Resident of Village Gondvara Tahsil and District Raipur (C.G.)

Petition under Article 227 of the Constitution of India

Present: Shri Prateek Sharma, counsel for the petitioners.
Shri N.K. Vyas, counsel for respondents No. 4,5 and 6.

ORAL ORDER
(Passed on 10th September, 2007)

Counsel for the parties fairly agreed that let the actual possession be decided by the Trial Court and in case it is decided in favour of the plaintiff then it need not be further stamped. In case the actual possession of the plaintiff is not found to be there then the plaintiff shall stamp the regular suit under the provisions of Article 23 of the Indian Stamps Act.

Accordingly, with the consent of the parties petition stands disposed of. Interim order if any is discharged.

Sd/-
Ag. Chief Justice

Kavde